IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

Appeal No. 123 OF 1999

IN

NOTICE OF MOTION NO . 2724 OF 1996

IN

SUIT NO. 3206 OF 1996

Mrs. Manjiri Vinod Agarwal ... Appellant

vs.

Kamleshkumar R. Agarwal & Ors. . ... . Respondents

Mr. Mohan Jaykar i/b. M/s. Khaitan & Jaykar for appellant.

Mr. Ricab Chand i/b. M/s. DSK Legal for respondent No.1.

CORAM: R.M.S. KHANDEPARKAR

AND

D. G. KARNIK JJ.

DATE: March, 20, 2007

P.C.:

1. Learned counsel for the respondent no.1 states on instructions that the respondent no.1 will not change the status quo and will not alienate, transfer or part with the possession of the suit property during the pendency and till the disposal of the suit and will remain bound by the order dated 28th April 1999 passed by this court while admitting the present appeal. We accept the said statement and on

acceptance of such statement the learned counsel for the appellant withdraws the appeal.

2. Needless to say, the suit is to be disposed of by the learned Single Judge without being influenced in any manner by the observations made in the impugned order. With these observations and while accepting the statement made on behalf of respondent no.1, the appeal is allowed to be withdrawn and stands disposed off accordingly.

(R.M.S. KHANDEPARKAR J.)

(D. G. KARNIK J.)